

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOHN L. SULLIVAN, JR.,

Plaintiff,

v.

Case No. 08-CV-12731

DETROIT POLICE DEPARTMENT, et al.,

Defendants.

ORDER DENYING PLAINTIFF'S "MOTION TO DEFAULT"

Pending before the court is Plaintiff John L. Sullivan, Jr.'s "Motion to Default Defendants Sgt. Douglas Gross, Officer Mario White and Officer Cecil Stephens Pursuant to Federal Rules of Civil Procedure 55." Because Plaintiff has not complied with Fed. R. Civ. P. 55(a) or (b)(1), nor Rule 55.1 of the Local Rules for the Eastern District of Michigan, the court finds Plaintiff's motion for default is premature. Accordingly,

IT IS ORDERED that Plaintiff's "Motion to Default Defendants Sgt. Douglas Gross, Officer Mario White and Officer Cecil Stephens Pursuant to Federal Rules of Civil Procedure 55" [Dkt. # 13] is DENIED without prejudice.

s/Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

Dated: October 9, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 9, 2008, by electronic and/or ordinary mail.

s/Lisa G. Wagner

Case Manager and Deputy Clerk
(313) 234-5522